



# Haryana Government Gazette

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No. 41-2022] CHANDIGARH, TUESDAY, OCTOBER 11, 2022 (ASVINA 19, 1944 SAKA)

CONTENTS		Pages
PART I—	Notifications, Orders and Declarations by Haryana Government	.. 797-829
PART I-A—	Notifications by Local Government Department	.. Nil
PART I-B—	Notifications by Commissioners and Deputy Commissioners	.. Nil
PART II—	Statutory Notifications of Election Commission of India— Other Notifications and Republications from the Gazette of India	.. Nil
PART III—	Notifications by High Court, Industries, Advertisements, Change of Name and Notices	.. 707-720
PART III-A—	Notifications by Universities	.. Nil
PART III-B—	Notifications by Courts and Notices	.. Nil
PART IV—	Act, Bills and Ordinances from the Gazette of India	.. Nil
PART V—	Notifications by Haryana State Legislature	.. Nil
SUPPLEMENT PART I — STATISTICS —		.. Nil
SUPPLEMENT PART II — General Review —		.. Nil
LEGISLATIVE SUPPLEMENT —Contents		.. (xcii)
Ditto	PART I—Act	.. Nil
Ditto	PART II—Ordinances	.. Nil
Ditto	PART III—Delegated Legislation	.. 769-770
Ditto	PART IV—Correction Slips, Republications and Replacements	.. Nil



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## PART-I

### Notifications, Orders and Declarations by Haryana Government

#### ORDER OF GOVERNOR OF HARYANA

The 29th September, 2022

**No. 40/39/2011-4S(I).**— WHEREAS disciplinary proceedings for major penalty under rule-7 of the Haryana Civil Services (Punishment & Appeal) Rules, 1987 were initiated against Sh. D.R. Kairon, HCS (now retired), the then Land Acquisition Officer, Panchkula vide Memo No. 40/39/11-S(I), dated 03 June, 2015 for the following charges:—

“1. That the Haryana Urban Development Authority acquired Shamlat land of Gram Panchayat of villages Nanak Chand, Surajpur, Razipur and Milk of District Panchkula through award No. 33, dated 28 March, 2008. He, i.e., Sh. D.R. Kairon being the Land Acquisition Officer, Panchkula disbursed compensation amount of Rs. 1,24,47,402/-, Rs. 79,05,108/-, Rs. 3,51,88,383/- and Rs. 1,97,22,380/- respectively amongst the proprietors of the above said village without getting the title decided from the Competent Authority. The land in question was recorded either as shamlat deh or Nagar Sabha.

2. That he, i.e. Sh. D.R. Kairon being Land Acquisition Officer, Panchkula in violation of the provisions of para 348 of Punjab Land Record Manual and Rule 71 of Punjab Land Revenue Rules had corresponded directly with Tehsildar Kalka for preparing list of Co-sharers whereas correspondence was to be made through the Deputy Commissioner-cum-Collector, Panchkula and as such disbursed the compensation.”

2. WHEREAS, Sh. D.R. Kairon Submitted his reply to the charge sheet vide letter dated 19 October, 2015 and he also submitted additional replies dated 10 November, 2015 and 19 May, 2016.

3. WHEREAS, after considering the reply of the charged officer, Sh. Apoorva Kumar Singh, IAS was appointed as Inquiry Officer vide order dated 21 February, 2018 to conduct the departmental inquiry into the charges.

4. WHEREAS, the Inquiry Officer submitted his report vide U.O. No. PS/PSTCP/2019/12783, dated 24 June, 2019.

5. WHEREAS, after careful consideration of the findings of the Inquiry Officer, the Competent Authority was not in agreement with the findings of the Inquiry Officer in respect of charge No. 1 and 2, consequently a ‘Dissenting Note’ was served upon the delinquent officer vide Memo No. 40/39/2011-4S(I), dated 07 February, 2020. In the ‘Dissenting Note’, the competent authority had specifically mentioned as untenable the findings of the Inquiry Office on charge No. 1 that none had contended during the enquiry proceedings that the land in question belongs to Gram Panchayat and the proprietors were not entitled to compensation and its enhancement. This was specifically pointed

out because the land was recorded as 'Shamlat Deh' in revenue record and it was incumbent upon the delinquent officer to take up the matter with the Deputy Commissioner, Panchkula for getting the title of the said 'Shamlat Deh' land decided from the competent authority if there were any claims cited by the erstwhile proprietors. The delinquent officer was duty bound to direct the Gram Panchayat/Municipality or the individual proprietors, as the case may be, to firstly get the title of 'Shamlat Deh' lands adjudicated from the competent authority, which he failed to do. With regard to second charge it was observed that the findings of Inquiry Officer are contrary to Section 2(g) and 13 (a) of the Punjab Village Common Lands (Regulation) Act, 1961 and Rules 71 of the Punjab Land Revenue Rules, 1909. It was specifically concluded by the competent authority that the charge No. 1 and 2 stands fully proved against the delinquent officer.

6. WHEREAS, Sh. D.R. Kairon submitted his representation dated 09 March, 2020 to the Dissenting Note.
7. WHEREAS, an opportunity of personal hearing was granted to Sh. D.R. Kairon and he was heard in person on 15 February, 2022 by the competent authority. During the hearing on 15 February, 2022, Sh. D.R. Kairon had submitted another representation in continuation of his earlier representation dated 09 March, 2020.
8. Whereas, before imposing the punishment upon Sh. D.R. Kairon the matter was referred to the Haryana Public Service Commission on 10th May, 2022 in terms of Rule 10(1) (b) of Haryana Civil Services (Pension) Rules, 2016 for consultation of the Commission. The Commission vide its letter No. Dis. 7/2022/1287 dated 26 May, 2022 was of the view that Sh. D.R. Kairon may be dismissed with effect from the date of his Superannuation.
9. WHEREAS, after duly considering the replies of the charged officer and all other relevant material/record/aspects and the consultation of Haryana Public Service Commission, the competent authority has decided under Rule 4 (b) of the Haryana Civil Services (Punishment and Appeal) Rules, 2016 to award a punishment of "dismissal from service which shall ordinarily be a disqualification for future employment under the Government" with effect from the date of his Superannuation, i.e., 31 December, 2015 upon Sh. D.R. Kairon which would be operative prospectively.
10. Now, therefore, the Governor of Haryana orders imposition of the punishment of "dismissal from service which shall ordinarily be a disqualification for future employment under the Government" with effect from the date of his superannuation, i.e., 31 December, 2015 upon Sh. D.R. Kairon which would be operative prospectively.
11. It is therefore, ordered accordingly.
12. This issues with the approval of the competent authority.

SURESH KUMAR,  
Under Secretary Administration,  
*for* Chief Secretary to Government, Haryana.